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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

**SCOTT MICHAEL LEWIS and
GILBERT WAYNE WILES, Jr.,**

Defendants.

Criminal No: 16-CR-19-J

Non-Public Document

GOVERNMENT'S NOTICE OF INTENT TO OFFER EXPERT TESTIMONY

The United States hereby submits its notice of intent to offer expert testimony, pursuant to FED. R. CRIM. P. 16(a)(1)(G), at the time of trial in the above-entitled matter as follows:

John Dennis Russell

John D. Russell is a Supervisory Aviation Safety Inspector with the Federal Aviation Administration (FAA) stationed in Helena Montana. Mr. Russell has been employed with the FAA since 2010. Prior to his employment with the FAA, Mr. Russell has held various jobs as a pilot and in the area of pilot training and instruction, including as Director of Pilot Training for PSA Airlines, Supervisor of Pilot Training for Atlantic Coast Airlines, and Chief Flight Instructor for Northern Air. Further, Mr. Russell received a Bachelor of Science degree from the University

of Idaho in 1972 in Forestry and received a Master of Science degree from Embry Riddle Aeronautical University in 2002 in Aeronautical Science. A copy of Mr. Russell's resume is attached hereto.

The United States anticipates Mr. Russell will testify and offer opinions regarding his examination of the FAA airman files of Scott Michael Lewis and Gilbert Wayne Wiles, Jr. Based on his training and experience, his review of and familiarity with FAA Practical Test Standards, and his familiarity with the Practical Test requirements for approved examiners, Mr. Russell will likely testify about the instruction Mr. Lewis and Mr. Wiles received during the course of applying for and obtaining the various pilot certificates reflected in their FAA airman files.

Mr. Russell will likely testify that between June of 1999 and November of 2000, Mr. Wiles averaged one practical test every three months, indicating an intensive training and checking regimen. Mr. Russell will likely explain the multiple occasions on which Mr. Wiles would have been required to demonstrate knowledge regarding the required registration certificate for an aircraft. Mr. Russell will likely testify that not only was Mr. Wiles required to demonstrate his personal knowledge of the requirement but also his ability to teach others about the requirement. Mr. Russell will likely offer his opinion that Mr. Wiles' successful completion of each practical test shows Mr. Wiles demonstrated his knowledge of an aircraft's registration requirement and a pilot's obligation to verify an aircraft's registration as part of his preflight routine.

Mr. Russell will likely testify that Mr. Lewis also received instruction and passed practical tests, or an equivalent, in which he would have been required to demonstrate knowledge regarding the required registration certificate for an aircraft. Mr. Russell will likely offer his opinion that Mr. Lewis' successful completion of each practical test or equivalent shows Mr. Lewis

demonstrated his knowledge of an aircraft's registration requirement and a pilot's obligation to verify an aircraft's registration as part of his preflight routine.

Mr. Russell may also offer background testimony regarding the FAA and FAA aircraft registration requirements.

Natalie Wilkowske

Natalie Wilkowske is a program analyst with the Aircraft Registration Branch, FAA Civil Aviation Registry. Among her duties is testifying on behalf of the FAA in criminal cases, and she is designated as a lawful custodian of aircraft registration and recordation records in cases having to do with aircraft registration and recordation regulations, policies, and procedures. A copy of Ms. Wilkowske's resume is attached hereto.

Based on her duties as a program analyst, her familiarity with the FAA's Civil Aviation Registry, and her review of the aircraft file for the aircraft bearing tail number N6214V, the United States anticipates Ms. Wilkowske will testify regarding the aircraft's registration status during the time periods material to this case. Specifically, the United States anticipates Ms. Wilkowske will testify that the aircraft was not registered as of February 27, 2014. The United States further anticipates Ms. Wilkowske will testify that the aircraft file contains no registration application on behalf of Morris Point, LLC, and that the aircraft has not been properly registered since the time the aircraft was sold to Morris Point. The United States further anticipates Ms. Wilkowske will offer background testimony regarding the FAA's Civil Aviation Registry and FAA aircraft registration requirements.

The United States reserves the right to supplement the notice of expert witness testimony pursuant to its continuing duty to disclose. FED. R. CRIM. P. 16(c).

Respectfully submitted this 13th day of April, 2016.

CHRISTOPHER A. CROFTS
United States Attorney

By: /s/ Thomas A. Szott
THOMAS A. SZOTT
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2016, the foregoing **Expert Witness Notice** was electronically filed and consequently served upon defense counsel.

/s/ Janee Woodson
UNITED STATES ATTORNEY'S OFFICE